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The Recent Official Sensation.

That there was something sensational brewing in governmental circles in Nogales had been whispered about for several weeks. Saturday last a number of telegrams from various sources gave the tip that the rumors were not without foundation and that the government had taken action. In the course of the day THE OASIS office received no less than three telegrams from great metropolitan daily newspapers asking full accounts by wire of the arrest of Collector of customs W. M. Hoey and Chinese. Inspector B. F. Jossey, upon charges of illegal acts in connection with the importation of Chinese. One inquiry developed that the report had emanated from Washington. Telegrams from the east to Mr. Hoey and Mr. Freeman also presented that the report was extant in Mr. Hoey's former home, Muncie, Indiana, and elsewhere. Mr. Hoey was in Phoenix, where Mr. Freeman telegraphed him that he had learned that warrants for the arrest of himself and Mr. Jossey had been issued. Mr. Hoey wired that he would come home Sunday evening and respond to service of the warrants. The warrant for the arrest of Mr. Jossey was sent to Tucson by Sunday's mail to be served Monday. Whether served is not said. Tuesday a telegram announced that Mr. Jossey had accidentally shot himself dead.

Promptly upon arrival of the train Sunday evening Mr. Hoey stepped off from the platform and joining Deputy Marshal Stevens the two proceeded at once to the office of U. S. Court Commissioner R. D. George, where a bond which had been prepared for his appearance Monday morning with Ramon Vasquez and A. L. Peck as sureties, was presented and accepted.

Special Agent J. H. McEnery arrived from El Paso Sunday evening and on Monday morning took charge of the Custom house, Mr. Hoey having been suspended upon a telegram from the treasury department at Washington.

Monday morning Mr. Hoey appeared in the commissioner's court, accompanied by his attorney, Judge E. Williams. The government was represented by Mr. M. C. McLemore, special assistant attorney general of the United States, who also appears in the warrants as the official complainant. The latter was accompanied by Mr. J. H. Dickey, special secret service agent.

There were three complaints, one against Mr. Hoey individually, and two against Messrs Hoey and Jossey jointly. In the first Mr. Hoey is accused of "asking, accepting and receiving money and other things of value from Frank How, as a bribe and inducement to influence his action as Collector of the Port of Nogales, Arizona, in the matter of Chinese persons entering the United States by land."

Another accuses Hoey and Jossey of unlawfully aiding and abetting the bringing into the United States by land certain Chinese persons not lawfully entitled to enter the United States."

The third complaint charges Hoey and Jossey of "conspiring with intent to commit an offence against the laws of the United States, and did in furtherance of said conspiracy aid and abet the bringing into the United

States by land certain Chinese persons not lawfully entitled to enter the United States."

The time of examination was set for Thursday morning at 10 o'clock.

When word was received of the death of Mr. Jossey Mr. Hoey was re-arrested and a new bond of \$4,000 exacted. E. Titcomb and George W. Atkinson qualified as sureties, and H. was again released.

At the preliminary examination before Commissioner George Thursday morning Colonel J. H. Martin, representing the firm of Barnes & Martin of Tucson, appeared with Judge Williams upon behalf of Mr. Hoey. Mr. M. McLemore, special assistant attorney general appeared for the government.

Mr. McLemore stated there are two charges—one of accepting bribes and the other aiding and abetting illegal importation of Chinese. Upon account of the death of Mr. Jossey the third case of conspiracy was dismissed.

Judge Owen T. Rouse, who had been engaged as attorney for the deceased Mr. Jossey, was entered as an attorney to protect the deceased's memory.

Mr. McLemore read the complaints, the first charging Hoey and Jossey with aiding and abetting the unlawful entry into the United States of Chinese persons; the second charge was that on or about July 1st, 1901, said Hoey and Jossey conspired to unlawfully admit Chinese, the third charge was that on or about July 1st, 1901, said Wm. M. Hoey committed the offence of asking and accepting bribes and other things of value from one Frank How, to unlawfully admit into the United States Chinese persons prohibited by law.

The first witness was J. D. McEnery who testified:

I reside in El Paso. Am special agent treasury department, now in charge of district of Arizona. Mr. Hoey has been nearly two years Collector of Customs for the district of Arizona.

George W. Webb, testified. Have resided in Nogales eight years; Have all that time been Inspector of Customs, line rider on border. J. L. Hathaway has been employed and associated with me in a similar position. My duties are to look out for smugglers and other violators of the laws of the United States. During the past year I have heard rumors of unlawful importation of Chinese. Generally talked about. Cannot remember who I heard it from. I have talked with Mr. Hoey in the matter. My suspicions were first aroused in November last when Hoey informed me that the Chinese business had been taken out of our hands, and that if I found any Chinese going toward Tucson in wagons I was to let them go and wire the fact to Jossey at Tucson.

The next suspicious circumstance was that about April 26th Hoey called me into his office and said that he wanted Hathaway and myself to go over to Lochiel and look out for the Sheehy's who had been making him trouble. Then to go to Washington Camp and telephone. We went to the Santa Cruz and then turned down the river to Calabasas. About two o'clock in the morning a wagon came along with ten Chinamen, and we arrested them and returned to Nogales with them and reported the matter to

Hoey who asked me if they did not come from Chinese gardens, and whether they had papers. He said he would telegraph Bennett assistant U. S. attorney. At evening I went to Hoey's residence. Told him I was satisfied there was crookedness going on in the Chinese business. He asked that the Chinamen said when we arrested them. I told him they asked us "you no see Mr. Hoey. (objection overruled.) I asked the Chinamen if he had seen Mr. Hoey and he said he had and that it was fixed. I told Hoey he was a young man, just starting out with a high government position, and warned him that if he did not stop mixing in the Chinese business it would ruin him, and I advised him to stop it, and he said he would do so. I had been myself wrongfully accused of the same thing under Chenoweth and there was no truth in it. Shortly afterward I saw him at his office and he said that he wanted me, whenever I went out, to make a diagram and leave with him of my proposed route and the time I expected to be at various places.

Here defence moved to strike out all that had been testified by witness as having no bearing on case. Motion overruled.

Webb (continuing): That conversation occurred in April. In May I had another conversation with Hoey. Just before it occurred I had a conversation with Mr. H. C. Dickey, a representative of the treasury department. I afterward acted under Mr. Dickey's direction.

Objection by Mr. Rouse, who said: "These charges are to be tried together. I cannot permit a dragnet investigation which may be afterward pointed to in derogation of the memory of the deceased Mr. Jossey, and I insist that they be tried separately."

Mr. McLemore said that his purpose was in every way to avoid drawing the name of Mr. Jossey into the case. Declared he was endeavoring only to investigate the two charges against Mr. Hoey outside of the conspiracy.

Webb (resumed): I met Mr. Dickey and after that I acted in connection with him and under his direction. After that, on May 22d I had another conversation with Hoey in my room in the railroad building. The day before Hoey called me into his office. He wanted me to go with him out to a mine. I was sick and Hathaway went with him. When they returned I sent Hathaway to bring Hoey down to my room. While Hathaway was gone for Hoey H. C. Dickey came to my room and went into the closet, leaving the door slightly ajar, with a coat hanging over the top and the edge.

When Hoey came down he asked me if I had seen Frank How. He said he had. I told Hoey that I am a poor man, that my salary is insufficient for my needs, and I asked him if he had any objection to my making a little on the side among the Chinamen. He said certainly not; that the Chinamen are crossing the line by hundreds anyhow, and we might as well make what we can out of them. He would arrange to have the certificates of those who paid marked "A," and all such we could let pass. He said we have every confidence in each other. Upon the 24th I again saw Hoey in his office. He asked me if I had got

my money. Said How had sent over four Chinamen and he told me to go to How for my money which I did, and received \$20. Later in the evening I went I met Hoey who asked me if I had got my money. I said I had. He said the Clifton chinaman would send some with the same mark. Later Hoey told me those chinamen were up the road, held up by washouts. Sent me to Clifton chinaman to tell him to send and get them out as they were attracting attention. I found where they were, got a rig, and took Hathaway and Dickey out to the Pesqueira ranche where we found four chinamen. I took the number of their certificates. Two of them were native born, one a merchant, one a laborer. The certificates did not have the "A" mark. I afterward saw Hoey. I told him I had seen no chinamen. He said they could not get away. Told me to see the Clifton chinaman and have them sent on stage. Afterward he told me the stages were running full, and to have Clifton chinaman send out a rig and get them away.

The same day Hoey sent me to Frank How to tell him to bring over some chinamen that night. How brought him over. I examined the chinamen and certificates. Had seen the same Chinese at How's. Their certificates were marked "A." They were at the American graveyard north of the town. I let them go. Soon after I saw Hoey. He said washouts had kept back money. He gave me his personal check in part payment of the four Clifton Chinamen (Check by Hoey for \$30 produced identified by witness and put in evidence). I afterwards gave Dickey the check. Also turned over to Dickey the \$20 gold piece received by me from Frank How. The check was part payment upon the four chinamen at Pesqueira ranch. Later Mr. Hoey told me he had received a telegram that Jossey had arrested six Chinamen at Tucson. Did not know but they were the six that crossed the 29th. He and Adams would go up with the bond papers.

I started eastward on August 2nd. From Tombstone I wrote Hoey asking what was done with the Chinamen. I took a copy and showed Hathaway the original letter. (Letter produced, identified, put in evidence, and read—as follows:

TOMBSTONE, A. T. Aug. 8th. 1901.

HON. W. M. HOEY.

Collector of Customs.

DEAR FRIEND: We have just arrived at this place. We found roads very muddy, and could not make much headway. From here we will go east until we get to Sulphur Spring Valley, and then will work the country south until we get to Bisbee. Kindly let me hear from you as soon as you can, let me know if the chinamen Jossey caught were the six Frank How sent across on night of 29th. If so what was done with them. If you have collected my portion of money from Frank How I wish you would kindly send it to me at Bisbee by return mail, as I spent most all I had before I left Nogales settling bills, and I now need more. Kindly let me know if Clifton chinaman or Frank How sent any more chinamen if so kindly keep track of number and you can pay me when we meet. Keep me posted how everything looks. Your friend.

GEO. W. WEBB.

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